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Docket No: 10806-152

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on

Jan. 24, 2002.

Ramona E. Mann

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Anneli Attersand : Paper No.

Serial No.: 09/990,415 : Group Art Unit: 1614

Filing Date: November 21, 2001 : Examiner:

For: **Gene Encoding Protein Cluster I and the Encoded Protein**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION-FILING DATE GRANTED**

BOX Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application-Filing Date Granted December 11, 2001, submitted herewith are the following:

- (1) Declaration and Power of Attorney signed by the Inventors;
- (2) Diskette Containing Sequence Listing;
- (3) Statement of Sequence Listing Identity;
- (4) Substitute Specification (20 pages + 11 pages of Sequence Listing);
- (5) Two Sheets Formal Drawings;
- (6) Government Surcharge Fee (37 CFR 1.16(e)) of \$130.00 by check; and
- (7) A copy of the Notice to File Missing Parts of Application-Filing Date Granted, dated December 11, 2001.



20020307

The substitute specification and formal drawings submitted herewith contain no new matter. It is believed that this represents a complete response to the Notice. Please charge any additional fees required in connection with the present Response, and credit any excess in fees paid, to Deposit Account No. 04-1133.



Respectfully submitted,

By:

Holly D. Kozlowski, Reg. No. 30,468

Attorney for Applicant(s)

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 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/990,415	11/21/2001	Anneli Attersand	10806-152

 24256
 DINSMORE & SHOHL, LLP
 1900 CHEMED CENTER
 255 EAST FIFTH STREET
 CINCINNATI, OH 45202


CONFIRMATION NO. 3650

FORMALITIES LETTER



OC000000007180794

Date Mailed: 12/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - The specification cannot be scanned or properly stored. Page(s)
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 11-19 are not in compliance with 37 CFR 1.52(a). The drawings filed are unacceptable because:

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Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE